

**MINUTES  
FREMONT CITY COUNCIL REGULAR MEETING  
JANUARY 6, 2009  
FREMONT CITY HALL  
7:00 P.M.**

**1. PRELIMINARY**

**1.1 Call to Order:** Mayor Wasserman called the meeting to order.

**1.2 Flag Salute:** Councilmember Wieckowski led the salute to the flag.

**1.3 Roll Call:** Present: Mayor Wasserman, Vice Mayor Natarajan, Councilmembers: Wieckowski, Harrison, and Chan.

**1.4 Announcements by Mayor/City Manager**

Mayor Wasserman announced vacancies to various Advisory Bodies.

**2. CONSENT CALENDAR**

- \* **2.1 Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Councilmember Wieckowski, seconded by Vice Mayor Natarajan, the City Council waived further readings of proposed ordinances.

Ayes:	Mayor Wasserman, Vice Mayor Natarajan, Councilmembers: Wieckowski, Harrison and Chan.
Noes:	None
Absent:	None
Abstain:	None

- \* **2.2 Approval of Minutes – for the Special Work Session and Regular Meetings of December 9, 2008, the Regular Meeting and Work Session of December 16, 2008, and the Special Meeting of December 16, 2008**

On a motion by Councilmember Wieckowski, seconded by Vice Mayor Natarajan, the City Council approved the minutes for the Special Work Session and Regular Meetings of December 9, 2008, the Regular Meeting and Work Session of December 16, 2008, and the Special Meeting of December 16, 2008

Ayes:	Mayor Wasserman, Vice Mayor Natarajan, Councilmembers: Wieckowski, Harrison and Chan.
Noes:	None
Absent:	None
Abstain:	None

\*Consent Items

**\* 2.3 Mayor Wasserman opened consideration of the Second Reading and Adoption of an Ordinance of the City of Fremont amending Zoning Regulations in the Fremont Municipal Code for Emergency, Supportive and Transitional Housing**

On a motion by Councilmember Wieckowski, seconded by Vice Mayor Natarajan, the City Council adopted Ordinance No. 1-2009 as amended to resolve clerical drafting errors contained in Sections 22 and 25 of the ordinance, amending the list of uses in certain zoning districts related to emergency shelters.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,  
Councilmembers: Wieckowski, Harrison and Chan.  
Noes: None  
Absent: None  
Abstain: None

**\* 2.4 Mayor Wasserman opened consideration of the Second Reading and Adoption of an Ordinance of the City of Fremont Rezoning Property Located at 41075 Railroad Avenue from Light Industrial to Planned District P-2005-131**

On a motion by Councilmember Wieckowski, seconded by Vice Mayor Natarajan, the City Council adopted Ordinance No. 2-2009.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,  
Councilmembers: Wieckowski, Harrison and Chan.  
Noes: None  
Absent: None  
Abstain: None

**\* 2.5 Mayor Wasserman opened consideration of the Second Reading and Adoption of an Ordinance of the City of Fremont Adopting Development Agreement (DA-PLN2005-00131) Between the City and West Coast Venture Capital, LLC Related to the Development of Property Generally Located at 41075 Railroad Avenue in the Irvington Planning Area**

On a motion by Councilmember Wieckowski, seconded by Vice Mayor Natarajan, the City Council adopted Ordinance No. 3-2009.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,  
Councilmembers: Wieckowski, Harrison and Chan.  
Noes: None  
Absent: None  
Abstain: None

**\* 2.6 Mayor Wasserman opened consideration of Acceptance of the Fremont Redevelopment Agency's Annual Report of Financial Transactions and Housing Activities Report**

On a motion by Councilmember Wieckowski, seconded by Vice Mayor Natarajan, the City Council accepted the Redevelopment Agency Annual Report as submitted to the State Controller.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,  
Councilmembers: Wieckowski, Harrison and Chan.  
Noes: None  
Absent: None  
Abstain: None

**\* 2.7 Mayor Wasserman opened consideration of Adopt Resolution Updating Landfill and Transfer Station Rate Schedules to Reflect 2009 Regulatory Fee Increases and Appropriate \$80,000 of Integrated Waste Management Disposal Differential Reserve to Offset Impact on Solid Waste Collection Rates**

On a motion by Councilmember Wieckowski, seconded by Vice Mayor Natarajan, the City Council:

1. Adopted Resolution No. 2009-1 setting disposal fees at the Tri-Cities Recycling and Disposal Facility Landfill effective January 1, 2009, as shown in enclosure A of this report.
2. Adopted Resolution No. 2009-2 setting disposal fees at Altamont Landfill, effective January 1, 2009, as shown in enclosure B of this report.
3. Adopted Resolution No. 2009-3 setting service fees at the Fremont Recycling and Transfer Station, effective January 1, 2009, as shown in enclosure C of this report.
4. Adopted Resolution No. 2009-4 retaining Solid Waste Collection fees previously set for the 2008/2009 rate period and funding the anticipated impact of the Facility Fee increase for the remainder of the 2008/2009 rate period with an \$80,000 appropriation of Integrated Waste Management Disposal Differential Reserve, as shown in enclosure D of this report.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,  
Councilmembers: Wieckowski, Harrison and Chan.  
Noes: None  
Absent: None  
Abstain: None

**\* 2.8 Mayor Wasserman opened consideration of the Report of Actions Taken by the City Manager during Council Recess, December 17, 2008 through January 5, 2009**

On a motion by Councilmember Wieckowski, seconded by Vice Mayor Natarajan, the City Council received report acknowledging actions taken by the City Manager or designee during the recess.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,  
Councilmembers: Wieckowski, Harrison and Chan.  
Noes: None  
Absent: None  
Abstain: None

### **3. CEREMONIAL ITEMS**

#### **3.1 Proclamation: National Blood Donor Month**

#### **3.2 Resolution: Honoring John Hal for Thirty Five Years of Service Upon His Retirement**

### **4. PUBLIC COMMUNICATIONS**

#### **4.1 Oral and Written Communications**

Wynn Grcich (A.T.O.W.N.) expressed concern about the potential contamination of local drinking water. Deepak Alur, Jim Hunt, Janet Fitzgerald Freund, Srinivasan Murari, Terry Queenan, Shafi Refai, Tzu-Chiang Hsieh, Yolanda Bai, Veronica Pang, Bryan Hsueh, and Lijuan Huang (all representing Fremont Citizens Network) expressed concern and opposition to the proposed Ballpark at the Warm Springs location.

### **5. SCHEDULED ITEMS – None.**

### **6. REPORT FROM CITY ATTORNEY**

#### **6.1 Mayor Wasserman opened consideration of a Report Out from Closed Session of Any Final Action – None.**

### **7. OTHER BUSINESS**

#### **7.1 Mayor Wasserman opened consideration of Update to Council Regarding Tree Removal at the Becado Elm Grove and Citizen Comments for Becado Place Revegetation Plan**

Transportation and Operations Director Jim Pierson provided an update regarding the status of activity at two sites of the Becado Elm Grove around Sabercat Creek. Staff responded to questions from Councilmembers. Mayor Wasserman opened public comment. Linda Sheehan (representing the Becado Place homeowners) expressed support for the proposed revegetation plan and the need to protect the remaining wildlife habitat, provided process suggestions and requested that the monitoring and maintenance reports be placed on the City's website. Maddie Perkins expressed concern regarding the trees that were removed and hoped they would be replaced. There were no other speakers. Another question and answer period followed. Councilmembers provided comment on the revegetation plan. No action was taken.

### **8. COUNCIL COMMUNICATIONS**

#### **8.1 Council Referrals**

8.1.1 MAYOR WASSERMAN REFERRAL: Reappointments to advisory bodies with terms expiring as follows:

By consensus, the City Council made the following reappointments and appoints with terms expiring as noted below:

Reappointments:

<u>Advisory Body</u>	<u>Appointee</u>	<u>Term Expires</u>
Environmental Services Advisory Commission	Thomas Browne (representing Environmental Organization)	December 31, 2012
Historical Architectural Review Board	Andrew MacRae	December 31, 2012
Library Commission	Dharminder Dewan	December 31, 2012
	Deepinder (Ruchi) Nijjar	December 31, 2010*
*Commissioner Nijjar was reappointed for a four year term on September 5, 2006. At the time of reappointment, the staff report indicated an incorrect term expiration date of December 31, 2011. This will serve to correct the term expiration date to be in accordance with Section 2-3102 of the Municipal Code which regulates the term of office for members of Council-established City Boards, Commissions and Committees at four years.		
Planning Commission	David Bonaccorsi	December 31, 2012
Senior Citizens Commission	Esther Hobbs	December 31, 2012
Youth Advisory Commission	Alex Kwon	December 31, 2010
	Manali Shah	December 31, 2010
	Erica Thompson	December 31, 2010
	Niveditha Puranikmath	December 31, 2010
	Edward Nguyen	December 31, 2010
	Sabrina Merchant	December 31, 2010

**8.2 Oral Reports on Meetings and Events – None.**

- 9. ADJOURNMENT:** There being no further business, Mayor Wasserman adjourned the meeting at 8:05 p.m.

Attest:

Approved:

\_\_\_\_\_  
Dawn G. Abrahamson, City Clerk

\_\_\_\_\_  
BOB WASSERMAN, Mayor